

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CHERYL COMPTON, et al.,)
)
 Plaintiffs,) Cause No. 4:11CV01975 CEJ
 v.)
)
 ST. LOUIS METROPOLITAN POLICE)
 DEPARTMENT, et al.,)
)
 Defendants.)

AFFIDAVIT OF GENERAL COUNSEL MARK LAWSON

Comes now Affiant, Mark Lawson, having been duly sworn and upon his oath states the following:

1. My name is Mark Lawson and I am General Counsel for the Board of Police Commissioners of the St. Louis Metropolitan Police Department. I am over eighteen (18) years of age and make this affidavit based solely upon personal knowledge of the foregoing.
2. I have been licensed to practice law in the State of Missouri since 1983, and have been admitted to practice in United States District Court for the Eastern District of Missouri since 1983. I have served as General Counsel for the Board of Police Commissioners of the St. Louis Metropolitan Police Department since 2009.
3. During the time I have been licensed to practice law, I have represented multiple public officials and/or public entities in civil rights cases filed pursuant to 42 U.S.C. § 1983. I have litigated these matters in the District Court as well as the Court of Appeals for the Eighth Circuit.

4. I have experience defending public officials and public entities in complex litigation involving the First Amendment as it relates to issues of reasonable time, manner and place restrictions on speech.

5. At all times relevant in the Police Defendants' Verified Statement of Reasonable Attorneys' Fees, I was employed as General Counsel for the Board of Police Commissioners of the St. Louis Metropolitan Police Department., and my hourly billing rate in this capacity for Civil Rights cases is \$275.00 per hour.

6. Due to plaintiffs' failure to respond to the discovery propounded or to comply with this Court's Orders compelling said responses, I endeavored the following tasks:

<u>DATE</u>	<u>TASK(S)</u>	<u>HOURS</u>
8/6/12	Telephone call with D. Emerson re proposed conference call w. Plaintiffs' Attorneys about failure to respond to discovery. Received e-mail from D. Emerson to all counsel of record re Proposing conference call on discovery on 8/9/12.	0.3
8/14/12	Left voicemail message w. attorney T. Hogan re attempt to resolve discovery. Left voicemail w. attorney J. Welch re attempt to resolve discovery. Left message w. attorney M. Ellinger-Locke re attempt to resolve discovery. Attempted to leave message w. attorney C. West re attempt to resolve discovery. Telephone call with attorney D. Emerson about filing a Motion to Compel Discovery Responses and about possibly seeking leave to amend the Case Management Order. Drafted and filed Police Defendants' Motion to Compel. Received and reviewed Defendant City's Motion to Compel.	3.0
8/28/12	Received and reviewed Orders from the District Court compelling plaintiffs to respond to outstanding discovery by 9/7/12.	0.2
9/10/12	Received and reviewed plaintiffs' attorneys' Motion to Withdraw and for Dismissal without Prejudice.	0.2
9/11/12	Received and reviewed Defendant City's Motion for Sanctions and Memorandum of Law in Support. Drafted and filed Police Defendants' Motion for Sanctions and Memorandum of Law in Support thereof;	4.3

9/11/12	Telephone call w. Attorney D. Emerson re plaintiffs' Motion for Dismissal without Prejudice and plaintiffs' attorneys' Motion to Withdraw.	0.5
9/12/12	Received and reviewed Defendant City's Response in Opposition to Plaintiffs' Motion for Dismissal without Prejudice. Drafted and filed Police Defendants' Response in Opposition to Plaintiffs' Motion for Dismissal without Prejudice.	4.2
9/13/12	Received and reviewed Attorney T. Hogan's Motion to Withdraw.	0.1
12/31/12	Received and reviewed Court Order granting City's and Police Defendants' Motions for Sanctions. Telephone call w. Attorney D. Emerson re same.	0.3
1/29/13	Drafted Verified Statement of Reasonable Attorneys' Fees.	1.4

TOTAL: 14.5

7. I expended 14.5 hours at an hourly rate of \$275.00, for a total of \$3,987.50 in reasonable attorneys' fees expended as a direct result of plaintiffs' failure to respond to discovery.

8. Police Defendants did not incur any taxable court costs as a direct result of plaintiff's failure to respond to discovery.

Further affiant sayeth not.

STATE OF MISSOURI)
) SS
CITY OF ST. LOUIS)

Mark Lawson

Mark Lawson
General Counsel

Subscribed and sworn to before me, a Notary Public, this 31st day of January, 2013.

Natalie C. Henson
Notary Public

My commission expires: _____

